

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: David A. Jackson
DOCKET NO.: 05-01733.001-R-1
PARCEL NO.: 07-33-200-036

The parties of record before the Property Tax Appeal Board are David A. Jackson, the appellant; and the DeWitt County Board of Review.

The subject property consists of a 26.34-acre parcel improved with a 24 year-old, one-story frame dwelling that contains 1,924 square feet of living area. Features of the subject include central air-conditioning, a 576 square foot garage and a 5,120 square foot machine style shed.

The appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation of the subject dwelling and homesite as the basis of the appeal. The appellant did not contest the assessment of the farmland. In support of the overvaluation argument, the appellant submitted a grid analysis of three comparable properties located one to four miles from the subject. The comparables are reportedly situated on parcels ranging in size from 9,440 square feet to two acres of land area and are improved with one-story brick, or brick and frame dwellings that range in age from 28 to 45 years and range in size from 1,310 to 1,492 square feet of living area. These properties sold between February and June 2006 for prices ranging from \$93,000 to \$118,000 or from \$68.23 to \$90.08 per square foot of living area including land. The appellant also submitted a letter in which he stated the subject dwelling was a remodeled two-car garage with a 1,000 square foot addition that "is a cobbled up mess" in poor condition. The appellants reported the subject sold in October 1999 for \$250,000. The appellant also reported the subject was 36 years old and contains 1,900 square feet of living area. Based on this evidence, the appellant requested the subject's dwelling and homesite assessment be reduced to \$33,000, reflecting an approximate market value of \$99,000.

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the DeWitt County Board of Review is warranted. The correct assessed valuation of the property is:

<u>PARCEL NO.</u>	<u>FARMLAND</u>	<u>HOMESITE</u>	<u>IMPROVEMENTS</u>	<u>TOTAL</u>
07-33-200-036	\$1,483	\$3,000	\$50,000	\$54,483

Subject only to the State multiplier as applicable.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$54,483 was disclosed. The subject dwelling and homesite have a total assessment of \$53,000, reflecting an estimated market value of \$157,410 or \$81.81 per square foot of living area including land, as reflected by its assessment and DeWitt County's 2005 three-year median level of assessments of 33.67%.

In support of the subject's estimated market value, the board of review submitted a letter prepared by the township assessor, property record cards, photographs and a grid analysis of 10 comparable properties. Seven comparables are ordinary residential lots, while three comparables are situated on parcels that contain from 3.42 to 6.15 acres. The comparables are improved with one-story style frame or brick and frame dwellings that range in age from 5 to 40 years and range in size from 1,204 to 2,323 square feet of living area. Features of the comparables include garages that contain from 400 to 1,040 square feet of building area. Nine comparables have central air-conditioning, six comparables have one or two fireplaces and five comparables have full or partial basements, two of which have finished areas of 1,560 or 1,793 square feet. The comparables sold between August 2001 and February 2006 for prices ranging from \$107,000 to \$200,000 or from \$57.14 to \$95.51 per square foot of living area including land. On the grid analysis, the assessor adjusted the comparables for differences when compared to the subject for such items as land area, design/appeal, quality grade, condition, finished basement, garage size, porches, decks or patios, fireplaces and outbuildings like the subject's machine shed. After adjustments, the comparables had adjusted sales prices ranging from \$111,639 to \$196,218 or from \$78.61 to \$112.38 per square foot of living area including land. In her letter, the township assessor discussed increases in land values in the subject's neighborhood and opined that at the time of the appellant's purchase of the subject property in 1999, the home comprised approximately \$100,000 of the \$250,000 sale price, while land accounted for the remainder. Based on this evidence the board of review requested the subject's total assessment be confirmed.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted. The appellant argued overvaluation as a basis of the appeal. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002).

After analyzing the market evidence submitted, the Board finds the appellant has failed to overcome this burden.

The Board finds the parties submitted thirteen comparable sales for its consideration. The Board gave less weight to all three of the appellant's comparables because they were significantly smaller in living area when compared to the subject. The Board gave less weight to board of review comparables 4, 5 and 8 because they also were significantly smaller than the subject. The Board gave less weight to board of review comparables 2, 3, 7 and 9 because they differed significantly in age when compared to the subject. The Board finds board of review comparables 1, 6 and 10 were similar to the subject in terms of age, size and most features. After adjustments to the comparables for various factors detailed above, these most similar comparables had adjusted sales prices ranging from \$162,840 to \$182,617 or from \$78.61 to \$92.62 per square foot of living area including land. The subject's estimated market value for its dwelling and homesite of \$157,410 or \$81.81 per square foot of living area including land as reflected by its assessment falls within this range and is supported by the subject's October 1999 sale for \$250,000.

In conclusion, the Board finds the appellant has failed to demonstrate overvaluation by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is correct and no reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the

session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.